

FEB 06 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JERRY LEE DOUGLAS,

Plaintiff - Appellee,

v.

ZEE HYDEN,

Defendant - Appellant.

No. 07-35365

D.C. No. CV-03-00221-JWS

ORDER AMENDING
MEMORANDUM DISPOSITION
AND DENYING PETITION FOR
REHEARING

Before: KLEINFELD, TASHIMA, and TALLMAN, Circuit Judges.

The memorandum disposition filed on January 18, 2008, is amended as follows: The final sentence is stricken in its entirety.

It shall be replaced with the following: “Accordingly, we REVERSE the district court’s order granting the federal habeas corpus petition. We REMAND to the district court to conduct such further proceedings as it deems necessary.”

With this amendment, we DENY Douglas’s Petition for Rehearing.

No further petitions shall be entertained.